

**BOARD OF SELECTMEN MEETING**  
**Minutes of April 19, 2021**

**CALL TO ORDER:** Co-Chairman Heath Partington called to order at 7:05 pm; opening with Pledge of Allegiance. Co-Chairman Ross McLeod, Selectmen Bruce Breton, Roger Hohenberger and Jennifer Simmons were present, as was Town Administrator David Sullivan.

Mr. Partington then moved to reconsider the Board's vote of 3/16 establishing Co-Chairs of the Board; noting the logistics of same have become difficult. Mr. Breton seconded. Passed unanimously.

Mr. Breton then moved and Mrs. Simmons seconded that Mr. McLeod serve as Chairman. Passed unanimously.

Mr. Breton moved and Mrs. Simmons seconded that Mr. Partington serve as Vice-Chair. Passed unanimously.

Mr. McLeod then explained the purpose of this evening's meeting as it related to SB43 as signed by the Governor, as well as the 45 day time period. He clarified that, contrary to the posting, the 4/26 discussion to select a town designee will be public, unless a non-public becomes necessary; going on to explain that this evening will serve as the public input phase. Mr. McLeod noted that any additional commentary after this evening may be submitted to the Town Administrator by 5:00 PM on Friday for the Board's review. Brief discussion ensued, and it was clarified end of day/deadline would be 4:00 PM rather than 5:00 PM.

Mr. McLeod advised that the number of applicants was longer than expected, thus he will adhere to a five-minute limit; asking that each be succinct and to the point; reiterating additional information can be submitted later. He indicated once the Board had heard from the applicants, he will then take public input as to candidate recommendations or qualities that should be considered.

Mr. McLeod then read the language of SB43 as passed, and advised that the following individuals/firms had requested to be considered for the selection: Amy Barry, Andrew Appel, Dave Bandyk, Sandra Gale, Jeffrey Graham, Mark Kovacs, Mark Lindeman, Doug Logan, Waldek Mikolajck, and Russ Ramsland; adding Ken Eyring had requested the Board also consider Jovan Pulitzer. Mr. McLeod then inquired whether there was anyone present in person who wished to be considered; seeing none, Mr. McLeod went to those on Zoom.

A brief recess occurred until 7:20 PM due to technical difficulties. Mr. McLeod resumed by asking that the applicants hit their high points, and submit any other information such as compensation requirements to Mr. Sullivan by Friday.

*Andrew Appel*, Professor of Computer Science at Princeton University, provided information on his background, citing his study of many voting machines and their security, and two court ordered forensic audits he has conducted. Mr. Appel described that there are many possibilities for the anomaly and that the entire paper trail and digital configuration needs to be examined; clarifying he was not jumping to any conclusions as to the cause right now. He advised he would be unable to attend the audit himself, but would recommend that Mark Lindeman be selected to conduct the audit with his assistance; adding that Mr. Lindeman has significant experience in designing and conducting/assisting with audits. Mr. Appel also suggested that Dr. Spectre of MIT assist; adding there should also be an assessment and report as to processes to ensure this does not happen in the future.

*Dave Bandyk*, DSM/Goldsky Cyber Security, advised that Josh Jeffroy was present in the audience on his behalf, and that John Cox and Ron Froberge were also present to provide information on the company and what they do.

Ron Frechette advised they are a national cyber-security firm out of Florida; explaining their focus is in helping smaller towns with cybersecurity and adding that, based on his presentation, it sounded as if Mr. Appel may be better suited to this type of engagement. John Cox explained the need for a study and chain of custody; indicating that all electronic devices are susceptible to threat and encouraging such a study be performed. He noted that what has been presented thus far would suffice.

*Amy Barry*, Assistant Southboro MA Town Clerk, indicated she had been in that position for two years and gone through five elections. She noted she was offering her assistance, adding she was curious as to whether the way her town conducts the election process might help as to chain of command, etc.

Mr. McLeod intended to move to Sandra Gale, however, she was not present. Colonel Phil Waldron of Allied Security Operations began his presentation, however, the Board then took another brief recess due to technical difficulties with Zoom.

*Jeff Graham*, CPA certified in financial forensics, advised that he had never done an audit of vote counts beyond that for a homeowners' association; however he has done work for the Department of Justice in financial forensic investigations, as well as for the FBI, Secret Service, and other police organizations, citing his experience with presentations, field work, etc. He went on to explain what would be his process, including sitting with staff to understand their processes, the dynamics of reporting, and listening to concerns as to how this occurred. Mr. Graham then posed several questions of the Board including who the contact person would be, what type of interim reporting was desired, what challenges the Board anticipated, what skills did the Town deem necessary, who has the documents/what was the chain of custody, and was there a State required format for the project.

*Mark Kovacs*, resident of Windham and retired program director/physicist for Techtron, cited his background/experience in technical areas such as this, as well as in communications and machines. Mr. Kovacs noted the many technical presentations he has made to the Town as part of the LEC, and that the Town has knowledge of his capabilities; adding as a resident he is keenly interested in the validity of our elections. He then inquired whether there would be additional manpower available to handle the hand counting/running of the ballots four times; noting this is a large task for just 3 people to complete within 45 days.

*Mark Lindeman*, Verified Voting, indicated they were a non-partisan voting analyst, as well as an advocate for paper ballots and post-election audits/best practices to ensure results can be trusted. He indicated we were fortunate to have an abundance of physical evidence to resolve the issue, particularly the ballots; adding we also have the equipment and digital media used, along with extensive documentation of the election process from both the local election and state recount. Mr. Lindeman noted that all will need careful scrutiny, and it is important to assemble a team that bring the right experience and habits of mind to the task to uncover relevant facts and follow them wherever they lead without preconception or fear. He went on to cite his experience in elections/post elections; adding that he was serious, thoughtful, fair minded, collaborative, and tenacious, which is important, and that he is also familiar with others whose expertise may be relevant to parts of the investigation.

*Doug Logan*, CEO of CyberNinjas, advised his was an application security company specializing in malicious code detection. He indicated he had done forensic work in Michigan and Georgia; adding his company is also the lead in the Maricopa County audit involving 2.1M ballots. Mr. Logan advised he has built relationships with experts in all areas that his company does not cover, and that they have the capability to do comprehensive forensic audits.

Mr. McLeod noted that Waldek Mikolajck was not present.

*Col. Phil Waldron*, Allied Special Operations Group, advised he was here on behalf of Russ Ramsland; noting he had worked with Mr. Logan in Antrim County, as well as in Georgia and Arizona. He indicated theirs is a multi-functional team with the necessary relationships to pull in the required skills; going on to lay out their process which would include a start to finish review of each of the machines and the ballots that they touched. Mr. Waldon indicated he would be happy to work with any of the others, noting Mr. Appel in particular, and that he would recommend pulling in as many locals into the audit possible; advising that he has a proposed scope of work and has spoken with the Secretary of State regarding their expectations.

There being no other applicants, Mr. McLeod moved to public comment.

Betty Dunn, Assistant Town Moderator, approached noting she did not have a specific recommendation as there are questions that need to be answered first. She noted we need to know such things as who the State is going to ask to be on the team, as there are two levels of expertise needed, one being technical and the other some knowledge of NH election law. Mrs. Dunn indicated we also need to know the order of decision making in the appointment of people in the team; inquiring whether it was known if the three people will be bringing in their own teams. She then advised that we know how long it takes to run the ballots through our machines, which have never had 10K ballots put through them; noting that they are old, their technology is old, and it will take hours and hours. Mrs. Dunn inquired, in terms of the hand count, who would be doing that or choosing the people to do so; reiterating these were some of the questions that needed to be asked now. Mrs. Dunn went on to note that some of the speakers had talked about technology, and that was wonderful, however, she also hoped they would talk to the NH Ballot Law Commission in terms of the future; adding that as of now there is one machine approved for use in NH and Windham has it. She felt the applicants should be asked how they envision the process working out; adding it is up to the Board to coordinate with the State as to who they are going to appoint in order to have a coordination of skills.

Richard Comtois, Londonderry Road, urged the Board to be cautious as they moved forward; citing that two of the applicants have come under heavy criticism. He suggested the Board do a social media review to ensure their selection is not labeled a conspiracy theorist, etc. He then thanked Ken Eyring and others in Windham for their inspiration. Mr. Comtois asked that the Board do a thorough review and pick somebody fresh, with no baggage; adding the world will be looking at Windham and expressing faith and confidence in the Board.

Kristi St. Laurent, Range Road, reminded all that she was the candidate who had requested the recount; adding she had been following this very closely. She noted the legislation had been signed pretty rapidly and was signed by the Governor on Monday; meaning the clock had started and we now had only 38 days remaining. Ms. St. Laurent advised she had done some research on her own as to whom to recommend, and through her work there two who rose to the top; recommending that the Board select Mr. Lindeman and Mr. Appel. She clarified she would recommend the Board select two in case the State picks one of the same.

AJ Todd, Second Street, approached extending thanks to several individuals before reading a prepared speech in which he referenced the Founding Fathers and our Constitution; recommending the Board appoint Jovan Pulitzer because his kinematic artifact audit will be able to determine whether the discrepancy did come from the machines or from the hand count. He indicated we can then reform voting procedures to ensure confidence in our elections going forward. Mr. Todd then thanked the Board for making their vote and this discussion public.

Marilyn Todd, Second Street, also approached and read a prepared statement citing the need for transparency, that the Board's decision will affect all of NH, that voting is the most sacred right any American has, and the sacrifices of veterans on behalf of our country. Mrs. Todd went on to note she had tracked every email sent to the Board on behalf of the NH Voter Integrity Group requesting Jovan Pulitzer, indicating there were hundreds from NH residents. She advised that Mr. Pulitzer has confirmed via a video forwarded to the Board that he will accept if selected. Mrs. Todd asked that the Board accept the will of the people, as it was by their will they had been elected. She then asked those who were in attendance who concurred with the recommendation of Mr. Pulitzer to stand; with a large portion of those visible doing so.

Ken Eyring, Bella Vista Road, approached noting this had been a battle, and he and the Town had worked side by side as far as the State, where there were people who did not want to give the Town the time of day; noting this Board had sent a letter to the Attorney General more than once and still had not received a reply, which is a shame. He noted that thousands are watching and it is sad they have to get this involved for what is such a simple thing, ensuring the integrity of our elections; adding he wants to be sure the vote he casts counts, and counts once.

Mr. Eyring went on to note he had been unsure as to whether he would make a recommendation that evening, as he felt that if he did so there were some on the Board who would vote for anybody but that; adding he would consider over the next few days whether he would do so. He urged the Board to listen to everybody who had presented their thoughts and to not believe everything they may see on the internet; going on to note the number of hours he had spent speaking to several individuals and his efforts in the past to always do what is right on behalf of the Town. Mr. Eyring indicated he had expected some other companies to put their names in for consideration that may not have been a good fit, however, that had not happened; adding he was not concerned about who he thought had stood out this evening.

Mr. Eyring then thanked the Board for having the next week's meeting in public, noting he understood it was difficult to speak about companies and organization that are going to be selected to do work for the Town, however this is a huge decision; adding this is a national story and we have to get it right. He stressed we have to pick the correct company, as the wrong one could easily screw it up; noting this is a new field that did not exist six months ago. Mr. Eyring indicated there are two, equally important parts to the audit because we do not know the answer to how 1,363 votes changed from election day to 11/12; adding we do not know if it was a mistake at the State during the recount, or whether it was a procedural error in town, or if the machines had a mechanical failure or were programmed to fail, or if it were intentional or not. Mr. Eyring clarified he has no preconceived notion as to what happened, but noted there are others out there who do and there are all kinds of theories out there. He reiterated the need to bring in the right people to validate every aspect from the ballots, and perhaps their design, to counting the ballots, and that the machines are working properly. He indicated the end result would be that we had looked at all aspects and had a report so that we can determine what we needed to do going forward; explaining that, as to the latter, if it was not a machine failure or error at the State House then we need to look at our procedures. Mr. Eyring noted it may have been human error, though he was not pointing any fingers, but if it was not a machine error or the recount, then we may never know the answer; reiterating the importance of selecting the right people and to not believe everything one might read on the internet. He indicated if the members have questions, he may have that information/reports; adding he felt we had some really good opportunities with a few of the people. Mr. Eyring again thanked the Board for holding next week's meeting in public, noting the optics would have been horrible otherwise, and for their time and effort and the opportunity to speak.

Mr. McLeod indicated he would like to ask the applicants how they would work with two other forensic auditors to coordinate and procure resources to help with the manual parts of the process; inquiring if the Board members had other questions.

Mr. Hohenberger indicated he would like to know whether they have experience with optical scanners, specifically LHS. He would also like to know if each can function alone given the language of SB43. Discussion ensued, with input from State Representative Dave Love from Derry, regarding the language of the bill being "one person" and who was to make the selection of designees.

Mrs. Todd noted her dream team would be Colonel Waldron with Jovan Pulitzer; adding she feels Mr. Pulitzer should be the designee and questioning whether Mr. Pulitzer would contract with the Colonel.

Kelly Potensa, Rye NH, noted that a lot of these teams and people all work together and she would love them to speak to that; citing, for example, that Andrew Appel works with Harry Hursti and others. Mr. McLeod noted the question posed would then be who do you envision as a team to support and assist.

Dr. David Strang, Gilmanton NH, explained he had been working closely with Senator Guida and Ken Eyring on SB43; noting the intent of the legislation was not that it be just one person, but a person representing a firm thus each of the three will show up with a team. Dr. Strang then stressed the time constraints as it pertained to the remaining two selections that needed to be made, getting them here, and completing the audit.

Heather Bollins, Bennington NH, asked that the Board inquire of them whether there were any reason why any part of the process could not be fully transparent for investigative reporters such as herself; offering her services document the process, as well.

Mr. Eyring approached noting there were three quality people who had spoken, those being Mr. Lindeman, Mr. Logan, and Col. Waldron; adding that, as to the latter, based upon their presentation Allied have a clear understanding of what needs to be done such as imaging the machines. He indicated they have also worked with CyberNinjas as a team in Michigan, and that Col. Waldron has been in several other states, as well; adding he would not keep getting hired if they were not doing a good job and exposing the truth. Mr. Eyring noted there have been negative things written about them, but asked that the Board keep an open mind. He indicated the other part of this is the ballots, and they have worked with Mr. Pulitzer who is the "ballot guy"; adding this will provide the answers being sought. Mr. Eyring then noted the importance of the overall team being compatible; indicating his hope would be the Board would decide to pick either Col. Waldron or CyberNinjas, and that his ask of them would be that they pick the other and Mr. Pulitzer; adding that if money is an issue he will pay for it.

Mr. Breton noted that we have to do the following: image and preserve the state of our machines; review the operating system of all four machines; review the program and memory cards of all four machines; validate that there are no capacities for communication with external devices; inspect the scanners and verify they are working properly; review the logs for each machine; review the chain of custody for the logs; inspect and audit manually and recount the ballots, and; use a third party scanner to count every vote on our ballots. He indicated that some the Board had heard from have analyzed 2.1M ballots whereas ours number 10,000; adding he has done research and had conversations with people across the country. Mr. Breton indicated that he will make his selection in public, as this all should be transparent; adding he knows this Board will do things right,

Mr. Partington indicated he would like to hear from the potentials which type of people they would initially recommend to be the third auditor as it pertained to skill set and experience. Brief discussion ensued.

Mr. McLeod inquired of Col. Waldron how he would coordinate and procure resources to help with the manual part of the process. Col. Waldron likened it to building an auditorium; adding forensic audits are a new phenomenon for which you need software people, server people, etc., and that you bring in people who have the requisite capabilities you need. He noted each process is individual and specific, and you put together the team you need to do the job; adding he would love to work with any of those who presented tonight.

Mr. McLeod inquired to what extent he would work with others, and Col. Waldron replied 100%; adding you never own all the organic capabilities to do everything you need to in the world of cybersecurity, etc.

Mr. McLeod inquired what skills and experience he would look for from the auditor picked by the Secretary of State and Attorney General. Col. Waldron replied he always looks for people who work harder and smarter for his teammates, and that his first choice would be Mr. Appel.

Mr. McLeod inquired whether he had experience with optical scanners, and Col. Waldron replied he did not have experience with the specific, LHS ones mentioned, however they do have experience with Imagecast machines and would pull in the expertise they need to create the templates to read the ballots with a commercial non-communicating optical scanner for the ballot counting.

Mr. McLeod inquired what he would do to facilitate transparency in the process. Col. Waldon replied they had advised the Arizona Senate to live capture if the could not live stream all of the Maricopa County audit and would do the same thing; capturing 100% of the moving and touching of the ballots.

Mr. McLeod inquired what, given the short time frame, his first actions would be. Col. Waldron replied first would be getting the team together and developing an asset matrix to assign tasks/priorities.

Mr. McLeod inquired of Doug Logan how he would coordinate and procure resources to help with the manual part of the process. Mr. Logan replied it was important that the local community have ownership of the process and thus he would first want to connect with someone local to make sure they are involved and see it with their own eyes and do most of the manual work; adding it is important to get people who actually voted in the area because it is their town and their vote.

Mr. Logan then indicated he did not care whether he was chosen, as he is going to help out whoever it is as he is not involved in this process because he has something to prove, but because he loves America and what happened this election cycle concerns him, specifically that 47% of people believe the election was rigged. He indicated he knows things have been said about him that he will not try to address, rather he just encouraged all to watch what they are doing in Maricopa; adding transparency is critical.

Mr. McLeod inquired to what extent he would work with others, and Mr. Logan replied it cannot be done without working with others, as there are so many parts that make voting systems complex. He noted that if he were to pick the three auditors he would choose someone who could do the digital forensic things well, someone with a scientist methodology, and someone to take a look at the paper.

Mr. McLeod inquired whether he had experience with optical scanners, and Mr. Logan replied he did not have any specific experience with them but the things they don't know they learn quickly.

Mr. McLeod inquired what he would do to facilitate transparency in the process and Mr. Logan replied that live streaming is key; adding that had not been permitted in Maricopa.

Mr. McLeod inquired what, given the short time frame, his first actions would be. Mr. Logan reiterated he would first find a local person or volunteers who want to see the right thing done for right reason; adding they already have the experts.

A medical emergency occurred involving Mr. Lindeman, and the Chair called for a recess. The meeting resumed at 9:20, with Mr. McLeod thanking EMS for their response and noting that Mr. Lindeman could submit his responses to the questions to Mr. Sullivan by close of day on Friday.

Mr. McLeod then moved on to Mr. Kovacs, who withdrew from consideration based on the intent of the legislature. He did however, indicate that he would like to volunteer for the local contingency that any team may assemble.

Mr. McLeod noted Jeffrey Graham was no longer online; nor was Amy Barry.

Mr. McLeod inquired of Mr. Bandyk how he would coordinate and procure resources to help with the manual part of the process. Mr. Bandyk indicated he had brought a team with him that evening, which is the best idea he can give; adding there would also be a lot of individuals they would have to add on. He indicated their skill set is more in development and certification; clarifying they have not done an audit of the Accu-vote system, but they are familiar with the Michigan audit.

Mr. McLeod inquired to what extent he would work with others. Mr. Bandyk replied no question, as this is what they do; adding they have a project manager available in Boston.

Mr. McLeod inquired what skills and experience he would look for from the auditor picked by the Secretary of State and Attorney General. Mr. Bandyk replied it would depend on the activity required based on who has already been designated and added to the group. He indicated he would have to see what was lacking; perhaps using some of the individuals in the community.

Mr. McLeod inquired whether he had experience with optical scanners. Mr. Bandyk replied they have no experience on this particular scanner, and they would have to look into it or acquire someone with that skill set. Mr. Frechette added they do have individuals on their team who have worked with scanners, but they serve as more of a clean up crew. He indicated they could work with Col. Waldron or any of the digital forensics groups, as that is what they do. Mr. Bandyk stressed that time is ticking and they have a project manager nearby.

Mr. McLeod inquired what he would do to facilitate transparency in the process. Mr. Frechette replied they live in the world of transparency; adding they are forthright to a fault.

Mr. McLeod inquired what, given the short time frame, his first actions would be. Mr. Frechette indicated his first action would be to get together with the selected vendor as to how they could move forward from a proactive standpoint.

Mr. Appel advised that he had been informed that Mr. Lindeman appears to be suffering from dehydration and should be fine.

Mr. McLeod inquired of Mr. Appel how he would coordinate and procure resources to help with the manual part of the process. Mr. Appel replied he knows quite a bit about election auditing, and it is to be a public process generally done by the public; adding there is a whole process to post election audits which Mr. Lindeman is familiar with. He advised they would seek experienced volunteers.

Mr. McLeod inquired to what extent he would work with others. Mr. Appel replied it is absolutely necessary to work with others, as there is a lot to do in a short time; adding he works collaboratively all the time and looks forward to working with whomever the State picks and hopes he has complimentary skills. He also reiterated he expects that Mr. Lindeman will take the lead.

Mr. McLeod inquired what skills and experience he would look for from the auditor picked by the Secretary of State and Attorney General. Mr. Appel replied the main two skills in such an audit are paper skills and forensic examination of the ballot machines. He indicated that who the State picks will determine which complimentary skills are missing; adding he has knowledge in both areas, although Mr. Lindeman has more skills in the ballot counting area. Mr. Appel noted that, as to the other area, should it be necessary they would bring in Michael Specter of MIT who is a genius at analyzing computer voting software.

Mr. McLeod inquired whether he had experience with optical scanners, and Mr. Appel replied he did not have hands on experience, but had been studying literature on them since 2004 and had colleagues whose expertise he could call on for examination of these machines.

Mr. McLeod inquired what he would do to facilitate transparency in the process. Mr. Appel replied the process of handling and counting paper ballots has to be a public one; adding the digital process is more difficult to make public as it is happening. He indicated whatever report is the result of this has to explain what happened and how it happened, or what we don't know, in such a way the public can understand; adding he has a lot of experience is writing as such.

Mr. McLeod asked for further clarification, and Mr. Appel replied the counting should be done in the presence of witnesses, noting Mr. Lindeman has experience in doing so in a public, transparent way.

Mr. McLeod inquired what, given the short time frame, his first actions would be, and Mr. Appel replied he felt two processes need to be started in parallel: first assessing the paper trail including the ballots and everything that goes with them and whether it is complete and, on the digital side, assessing what we have there including the voting machines, data cards, voting machine software and interviewing LHS; gathering an inventory of what materials exist to assess if anything is missing. Mr. Appel noted there would then be a plan for correlating the physical and electronic data, with the particular discrepancy being the focus; going on to note the various possibilities that would be looked at such as hacking, misconfiguration, misalignment of the scanner, or overheating, experiments for which can all be run in parallel and within the short time period available.

Mr. McLeod thanked all; and then explained next week would be just the Board's deliberation, which will be in public, but the logistics for the location are still being worked out.

Don Riddle, New Ipswich NH, approached to advise that there was an interview with David Clements and Mr. Pulitzer in which the latter was asked about being offered \$10M to drop out of the Arizona audit; adding Mr. Pulitzer's response had been he would not take any money, and was not taking any money for the audit he was doing, and that he would take a bullet for doing what he is doing.

Mr. McLeod extended thanks to all then called for a five minute recess.

The meeting resumed at 9:50 PM, with Mr. McLeod advising that the Q1 financial update would be deferred to the next meeting.

**HAYES HART ROAD BOAT RAMP:** Mr. McLeod indicated that Warrant Article 17 had been soundly voted down, thus this was now before the Board as it pertained to adhering to the language of the deed and providing access only to Windham residents; inquiring how the Board wished to proceed.

Chief Lewis noted there is a swing gate there that is functional and could be used in the interim, it just needs a chain and lock. He added he still had the information regarding pricing he had obtained for electronic access, but that could not be implemented right away. Discussion ensued regarding getting the latter in place and the bid process versus the quotes obtained by the Chief. Mr. Sullivan suggested the Chief come back on 5/3 and the Board consider waiving the formal bid process in favor of working with the quotes.

Mr. Partington expressed support for securing the gate, utilizing regulations similar to Cobbetts Pond which should be revisited and Canobie built into them, followed by obtaining bids and issuing a press release. Mrs. Simmons concurred, and sought clarification that in the meantime the gate could be locked. Chief Lewis replied in the affirmative, and discussion ensued regarding the need to obtain a Knox box for emergency services.

Mr. Hohenberger inquired how the residents would obtain access, and Chief Lewis replied a separate lock would be put in place, similar to what is done at Cobbetts, and then keys issued through whatever system the Board sets up. Discussion ensued in that residents are to have full access, with Mr. Hohenberger noting he was not in favor of locking the gate without the means to obtain a key in place. Chief Lewis replied the Board needs to establish a procedure, then, such as waiting two weeks to lock the gate until the keys are obtained.

Mr. Breton concurred with the Chief and Mr. Partington; adding he felt the policy for Cobbetts needed rethinking as the keys can only be obtained during the week. He suggested residents should be able to obtain them seven days a week, and that the Chief review the policy for something better that allows such access. Discussion ensued, with the Chief suggesting a system could be set up wherein the Canobie Lake Protective Association has a key and could go unlock the gate if need be.

Mr. McLeod also supported moving forward as outlined, noting the Board has to adhere to the will of the voters as it had assured they would. Lengthy discussion ensued as to the timing of securing the gate, establishing new rules or following the Cobbetts Pond ones, issuing the press release, and arranging access for Salem's emergency services.

It was the consensus that the Chief proceed as discussed.

Mrs. Dunn approached indicating that she wanted to be sure there is an opportunity to review the rules before the gate is locked as the needs of those going into Cobbetts versus Canobie are different; explaining the former relates to having the beach there whereas there is no need for those types of restrictions at Canobie. Discussion ensued regarding the different parameters.

Mrs. Dunn asked that the gate not be locked until a policy is set in place that applies reasonably to Canobie. Mr. Partington indicated he would be in favor of such, provided it was done quickly, as if it were going to take another two months there was no point in doing it this year. Further discussion ensued regarding the timing, and having the CLPA, Mrs. Dunn, the Chiefs, and the Town Clerk work on a draft for 5/3.

Don Picarillo, CLPA, approached noting it was very important that the Association ends up with keys; going on to inquire about the logistics of commercial carriers and how they would get access to launch and retrieve boats. Discussion ensued in that this would be included in the rules similar to Cobbetts.

Mr. Sullivan noted the question would then be if the CLPA has access, who else does. Discussion ensued in that the CLPA can use their access for Windham residents only, and the same would go for commercial entities in that they may use it to serve Windham residents.

Mr. Picarillo indicated he would request there be a buddy system wherein a Windham resident with a key escorted a Salem lakefront resident to the ramp and supervised the launch. Mr. McLeod replied that a



Salem resident putting in a boat there defeats the purpose and goes against the will of the voters. Discussion ensued. No further decision were made.

**TOWN INVESTMENT POLICY:** Deferred.

*Mr. Sullivan* then advised the Finance Director had intended to address financing for the purchase of the new tanker truck, and recommended utilizing the bond bank process. He explained the rate in January was less than 1% for this type of loan, and he did not believe any local or larger banks could compete. *Mr. Sullivan* indicated that, if the Board supported the recommendation, Drummond and Woodson would be retained as bond counsel; adding it takes a couple of months to complete the process and financing must be completed by June.

Discussion ensued regarding the low interest rates versus the lack of a pre-payment option, that impact fees cannot be used to pre-pay this purchase as they can with the Quint, and that the length of loan will be 8 or 9 years.

*Mr. Breton* moved and *Mrs. Simmons* seconded to proceed with the bond bank as recommended. Passed unanimously.

**BID AWARDS:** *Mr. Sullivan* advised that several bids were received for a new copier for the Fire Department, coming in much less than expected. He indicated the recommendation would be to purchase the machine outright, thus saving approximately \$1,300 in interest.

*Mr. Hohenberger* moved and *Mr. Breton* seconded to support the Chief's recommendation for the purchase of new copier from United Business Machines in the amount of \$4,097. Passed unanimously.

General Services Director *Dennis Senibaldi* advised that after advertising, fielding a handful of inquiries, and meeting with two vendors, only one bid had been received for carpeting at the Police Department and Administrative office; adding he had also reviewed the last such project awarded for Community Development to compare prices. He indicated that the one bid received was from that same vendor, and was lower per square foot than the CDD bid.

Discussion ensued regarding why only one bid had been received, as well as the possibility of utilizing Home Depot instead, with *Mr. Senibaldi* indicating they do not install carpet, rather they facilitate contractors doing so.

After further discussion regarding the previous bid, the scope of work, and that the bid price was now public, *Mr. Breton* moved and *Mrs. Simmons* seconded to award the bid to Messina Carpeting for a price not to exceed \$31,300, with funding to come from the Property Maintenance Trust. Passed 4-1, with *Mr. Hohenberger* opposed.

**OLD/NEW BUSINESS:** *Mr. McLeod* noted that all of Windham is now in a drought status. Discussion ensued, and it was the consensus that this be placed on the next agenda to consider restrictions.

*Board Liaisons:* *Mr. Breton* moved and *Mrs. Simmons* seconded to adopt the liaison assignments as amended at the last meeting. Passed unanimously,

**BOARD GOALS:** *Mr. Hohenberger* requested that this be deferred as he had not developed his as yet. The remaining members concurred, with *Mrs. Simmons* noting, however, that the EDC at their recent meeting had inquired when the Board would be discussing goals for them. Discussion ensued, with *Mr. Breton* suggesting that the EDC be asked to submit their goals to the Board. *Mrs. Simmons* indicated she could do so, however, the EDC is looking for direction.

*Mr. Partington* added he had told the EDC the Board would provide them direction; adding that the Planning Board is also talking of not sending a liaison as they are waiting to make a determination based upon those goals. He indicated this is where the Selectmen leadership comes in, as they have to set a clear direction. Further discussion ensued, with *Mr. Partington* outlining several suggested goals for the EDC and *Mr. McLeod* concurring with those.

*Mr. Hohenberger* then advised he did have two goals, one being to work with Wilcox & Barton and the DES to finalize a work plan for PFOS containment and the other being to finalize and implement the

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agreement for the Route 28 water line; stressing the operative word for the latter was “implement” and noting the EDC may also assist here.

Further discussion ensued and it was the consensus of the Board to send the list of EDC goals to them for their review, asking for any input or additions, and to have them in on 5/17 to discuss. The Board will discuss this list as well as the balance of their annual goals on 5/3.

**CORRESPONDENCE:** None.

**MINUTES:** Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of 4/12 as written. Passed unanimously.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. Breton seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a, c and e. Roll call vote – all “yes”.

Prior to entering into non-public, Mr. Sullivan indicated he had one additional item under old business.

**OLD BUSINESS CONTINUED:** Mr. Sullivan asked that, while the Governor has lifted the mask mandate, the Board still continue the mask mandate for the inside of Town buildings until further notice. Mr. Partington moved and Mr. Breton seconded to continue to support the mask mandate for Town buildings. Motion passed 4-1, with Mr. Hohenberger opposed.

**NON-PUBLIC SESSION:** The Board and Mr. Sullivan were present in all sessions.

Legal – Mr. Sullivan updated the Board on the ongoing negotiations with the Town of Salem relative to the Water Line Operations Agreement. No decisions were made.

Personnel – Mr. Sullivan advised the Board of several personnel staffing matters in the Community Development Department: First, the chosen candidate for the Code Enforcement Administrator position has elected not to accept the position. After discussion it was agreed that the position will be readvertised as well as the position of Planner. Second, the building inspector will be out on approved leave and the intent of staff is to use our, as needed, part time inspector to both cover this time as well as to help the department handle code enforcement issues; and Third, staff has reach out to a few consulting firms and will, with the support of the Board, select a firm or firms to provide up to approximately 12-16 hours per week of planning staff time to assist Mr. Norman with planning related items while the town recruits a new planner. After brief discussion the Board concurred with the plans as outlined by Mr. Sullivan.

Reputations – Mr. Sullivan updated the Board on a matter involving reputations. No decisions were made.

Mr. Breton moved and Mr. Hohenberger seconded to come out of non-public session. Roll call vote – all members voting Yes.

Mr. Hohenberger moved and Mr. Breton seconded to adjourn the meeting. Roll call vote – all members voting Yes.

Meeting adjourned at 11:10 pm.

Respectfully submitted,

David Sullivan, Town Administrator  
Wendi Devlin, Administrative Assistant